

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

RANDALL MAURICE PETERSON,

Defendant.

No. 2:15-CR-0087-WFN-1

PRELIMINARY ORDER
OF FORFEITURE

IT IS ORDERED that:

As the result of the Defendant's guilty plea to Count 3 of the Indictment, charging Defendant with Possession of Child Pornography in violation of 18 U.S.C. § 2252A(a)(5)(B) for which the United States sought forfeiture of assets pursuant to 18 U.S.C. § 2253, Defendant, RANDALL MAURICE PETERSON, shall forfeit to the United States any property, real or personal, used to or intended to be used to commit or promote the commission of such offense or any property traceable to such property.

The Court has determined, based upon the Defendant's plea and Plea Agreement, that the SD card involved in this case is subject to forfeiture pursuant to 18 U.S.C. § 2253, and that the United States has established the requisite nexus between such offense and the SD card.

Upon the issuance of a Preliminary Order of Forfeiture and pursuant to Rule G(4)(a)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, authorized under 21 U.S.C. § 853(n)(1), as incorporated by 18 U.S.C. § 2253, and Fed. R. Crim. P. 32.2(b)(6)(C), the United States is not required to publish notice of this order because the forfeitable assets are valued at less than \$1,000.00. Defendant stipulated in his Plea Agreement that he is the sole owner of the assets and that

1 no one else has an interest in the assets. The Federal Bureau of Investigation has not
2 identified any additional owners or potential claimants, therefore, the United States will
3 not provide direct notice of the preliminary order of forfeiture.

4 Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of
5 Forfeiture is final as to the Defendant at the time of sentencing, and is made part of the
6 sentence and included in the judgment. If no claims are filed, the United States will file a
7 motion for an order declaring the preliminary order of forfeiture final at or after
8 sentencing.

9 The United States shall have clear title to the above-listed property following the
10 Court's disposition of all third-party interests, or, if none, following the expiration of the
11 period provided in Fed. R. Crim. P. 32.2(c)(2), Rule G(5) and 21 U.S.C. § 853(n) as
12 incorporated by 18 U.S.C. § 2253, for the filing of third party petitions.

13 The Court shall retain jurisdiction to enforce this Order, and to amend it as
14 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

15 The District Court Executive is directed to file this Order and provide copies to
16 counsel.

17 **DATED** this 2nd day of June, 2016.

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19 s/ Wm. Fremming Nielsen
20 WM. FREMMING NIELSEN
21 SENIOR UNITED STATES DISTRICT JUDGE

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